

# INFORMATION LETTER

Not for  
Publication

NATIONAL CANNERS ASSOCIATION

For Members  
Only

No. 797

Washington, D. C.

July 27, 1940

## NEW "AREA OF PRODUCTION" DEFINITION AND SEASONAL DETERMINATION ANNOUNCED

Upon the release Wednesday of the new definition of "area of production" and the announcement of the determination made by Merle D. Vincent, director of the Hearings Branch of the Wage and Hour Division, that the canning of perishable or seasonal fresh fruits or vegetables is an industry of a seasonal nature, the Association mailed to each of its members engaged in canning fruits and vegetables: (1) a mimeographed copy of the revised "area of production" regulations; (2) the text of the essential portions of the official notice of opportunity to petition for review of the determination that the canning of fruits and vegetables is an industry of a seasonal nature; and (3) the text of a press release of the Wage and Hour Division covering these two subjects. The new "area of production" regulations and the essential portions of the notice of opportunity to petition for review of the determination that the canning of perishable or seasonal fresh fruits or vegetables is an industry of a seasonal nature are reproduced below so that canners who maintain a file of the INFORMATION LETTER will have these two documents in reference form.

U. S. DEPARTMENT OF LABOR  
WAGE AND HOUR DIVISION  
Washington, D. C.

### TITLE 29—LABOR

#### CHAPTER V—WAGE AND HOUR DIVISION PART 536—REGULATIONS DEFINING THE TERM "AREA OF PRODUCTION" AS USED IN SECTION 7(c) AND IN SECTION 13(a)(10) OF THE FAIR LABOR STANDARDS ACT

The following amendment to Regulations—Part 536—(Regulations Defining the Term "Area of Production" as Used in Section 7(c) and in Section 13(a)(10) of the Fair Labor Standards Act) is hereby issued. This amendment amends Section 536.2 by rendering the present Section 536.2 inapplicable to perishable or seasonal fresh fruits or vegetables, and adding a special paragraph applicable solely to perishable or seasonal fresh fruits or vegetables. Said amendment shall become effective on Oct. 1, 1940, and shall be in force and effect until repealed by regulations hereafter made and published.

Signed at Washington, D. C., this 22nd day of July, 1940.

BAIRD SNYDER, *Acting Administrator,*  
*Wage and Hour Division,*  
*Department of Labor.*

Published in *Federal Register*, July 24, 1940.

#### SECTION 536.2—"AREA OF PRODUCTION" AS USED IN SECTION 13(a)(10) OF THE FAIR LABOR STANDARDS ACT

I. An individual shall be regarded as employed in the "area of production" within the meaning of Section 13(a)(10), in handling, packing, storing, ginning, compressing, pasteurizing, drying, preparing in their raw or natural state,

or canning of agricultural or horticultural commodities (except perishable or seasonal fresh fruits or vegetables) for market, or in making cheese or butter or other dairy products:

(a) if he performs those operations on materials all of which come from farms in the general vicinity of the establishment where he is employed and the number of employees engaged in those operations in that establishment does not exceed seven, or

(b) with respect to dry edible beans, if he is so engaged in an establishment which is a first concentration point for the processing of such beans into standard commercial grades for marketing in their raw or natural state. As used in this subsection (b), "first concentration point" means a place where such beans are first assembled from nearby farms for such processing but shall not include any establishment normally receiving a portion of the beans assembled from other first concentration points, or

(c) with respect to Puerto Rican leaf tobacco, if he is engaged in handling, packing, storing, and drying such

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## PEA CROP CONDITION REPORT

### Information for Week Ending July 26 Compiled by Division of Statistics

The packing of Sweets will be completed in all but the most northern districts within the next week. Therefore, the Division of Statistics will terminate reporting of the crop condition with this report.

MAINE—Pack just getting under way with yields on early plantings running from 85 to 125 cases per acre. Temperatures during the week have been relatively high, with 87 hours above 75 degrees and highest being 94. Peas are maturing rapidly and rain is badly needed, especially for the late Sweets. Aphis infestation has started and is developing fast, necessitating extensive dusting. Late Sweets are yielding from 110 to 125 cases per acre.

NEW YORK I—Temperatures during the early part of the week were low but became much higher toward the end of the week, bringing on the late crop very fast. The pack was completed in many sections on July 24 and 25.

NEW YORK III—The first yields on late Sweets have been rather disappointing as they have not threshed out what the vines seem to indicate from appearance. This apparently is a result of the pods not having filled properly and the peas failing to finish off because of abnormal rainfall and temperature. The aphis infestation has practically disappeared. It looks as though 65 cases would be a fair estimate on the late Sweets in this section.

NEW YORK IV—Hot weather during the latter part of the week is bunching late harvest. Quality, however, continues good. The season has been very favorable for harvesting and good quality, with cool weather and good distribution of rain.

**MICHIGAN**—Finishing harvest of Sweets in central part of State. Will finish harvesting Sweets in eastern part of State the latter part of this week or early next week. Hot wave affecting yields. Temperature in 90's the past several days.

**WISCONSIN**—Thursday was the sixth consecutive day of extreme heat throughout the State, and the 30 to 40 per cent of the Sweet acreage which had not been harvested prior to the first of the week has been seriously affected, many fields being completely burned up. While some bunching has occurred, most canners have been able to handle their peas as fast as they come on, because of the earlier cool weather, but both yields and quality are being reduced as a result of the draught. A telegraphic report of July 26 states that rains Thursday night and Friday have ended the heat wave, although it is too early as yet to give a complete picture of its effects. The following summary is based on reports mailed on Tuesday and Wednesday of this week.

In District No. I where canning is now pretty generally finished, average Sweet yields ran from 45 to 75 cases per acre. In District II yields ran somewhat better, the average being 60 to 90 cases. Maturity has been very uneven. Late plantings are uneven and need rain badly to come through with an average crop. Packing will continue to about the last few days of the month. In District III yields from 75 to 100 cases are reported. However, in some parts of III and in District IV, where canning of Sweets is just starting, yields are being cut as much as 50 per cent because vines are going down with the heat. Sweets in District V have declined in the past week and the average yield there may be below 70 cases. The limited Sweet acreage in the western and southwestern part of the State ran quite heavy, from 80 to better than 100 cases. On the whole, an average of 75 cases per acre on Sweets for Wisconsin is the best estimate at this time.

#### 1939 and 1940 Yields of Peas

Yields of peas per acre in 1939, together with the latest estimates and reports for 1940 that have been submitted to the Division of Statistics, are presented in the following table:

Reporting District	1939			1940		
	Alaskan Cases	Early Sweets Cases	Late Sweets Cases	Alaskan Cases	Early Sweets Cases	Late Sweets Cases
Maine.....	..	95	104	..	85-125	110-125
New York I.....	..	57	..	60-65	58-85	70-87
New York II.....	..	..	..	55-88	60-80	60-100
New York III.....	40	32	..	50-78	65-80	65-80
New York IV.....	32	49	..	55-70	55-85	65-75
Middle-Atlantic I.....	..	..	..	110-115	..	..
Middle-Atlantic II.....	32-40	63	..	95-105	100	..
Middle-Atlantic III.....	80	..	40	90-100	110	110-135
Ohio.....	25-30	70	..	95	90-130	90-130
Indiana.....	..	..	..	117	..	80
Illinois.....	32-63	..	62-94	90-95	75	80
Wisconsin I.....	..	..	..	73-125	45-75	75
Wisconsin II.....	..	..	..	70-85	90-100	52-100
Wisconsin III.....	75-85	..	75	68-90	65-70	75-100
Wisconsin IV.....	78	..	..	60-65	..	75-90
Wisconsin V.....	90	..	..	51-100	..	80
Minnesota.....	59	..	94	70-91	82	85-100
Iowa.....	..	..	..	85-97	..	48-75
Utah.....	100	..	..	..	78	110
Washington-Oregon I.....	90	100	..	..	55-75	75-85
Washington-Oregon II.....	..	..	..	..	75	100
Puget Sound.....	100	..	..	..	70-80	90-100

The following table shows temperature and rainfall data for the weeks ending July 25, 1939 and July 23, 1940:

Reporting District	Temperature Departure from normal		Rainfall	
	1939 Degrees	1940 Degrees	1939 Inches	1940 Inches
Maine.....	-4	-2	0.5	0.5
New York I.....	-1	-1	0.0	1.1
New York II.....	+2	+2	T.	0.3
New York III.....	+1	+3	T.	0.3
New York IV.....	0	+4	T.	0.1
Ohio.....	-3	+4	T.	T.
Indiana.....	-1	+3	0.1	T.
Illinois.....	-1	+2	T.	T.
Michigan.....	+1	+5	T.	0.0
Wisconsin I.....	+1	+5	T.	T.
Wisconsin II.....	+2	+6	T.	0.1
Wisconsin III.....	+3	+7	T.	0.2
Wisconsin IV.....	+2	+8	0.1	0.6
Wisconsin V.....	+1	+8	T.	T.
Minnesota.....	-1	+13	0.1	0.1
Iowa.....	0	+8	2.4	T.
Nebraska.....	+2	+10	0.2	T.
Colorado.....	+4	+4	T.	0.3
Utah.....	0	+2	T.	T.
Wyoming.....	+2	+5	0.0	0.3
Montana.....	0	+5	T.	0.2
Washington-Oregon I.....	-1	0	T.	T.
Washington-Oregon II.....	+1	+3	0.2	0.5
Puget Sound.....	+4	+2	0.1	0.1

#### Cherry Crop Condition Reports Summarized for Week Ending July 25

**NEW YORK**—Cherry packing has just started in New York this week. There was little or no change in the estimate of production from that previously reported except some reporters indicate more damage from shot-hole fungus than previously anticipated. Fruit is reported to be large because of rain and favorable growing conditions. Latest estimate of production is about as follows: Along the lake about 75 per cent of last year; back from the lake in Districts I and II, from 90 to 100 per cent; and in District IV, from 70 to 75 per cent.

**MICHIGAN**—Favorable weather during the last week has improved the prospects of the crop in the Grand Traverse section. The increased size of the fruit will offset to a considerable extent the loss from shot-hole fungus. Prospects are, therefore, for a somewhat larger crop than the 60 to 65 per cent previously estimated.

**WISCONSIN**—Picking starting at full capacity on July 23. Cherries have been extremely late in ripening. The crop in Door County is estimated at about 65 per cent of normal.

**WASHINGTON**—The pack of cherries is about complete in central Washington with production at about 85 per cent of normal. Prospects continue for a normal crop in the northern part of the State.

#### Private Motor Carrier Regulations Postponed

The Interstate Commerce Commission announced July 23 that the effective date of the rules promulgated by the Commission on May 1, 1940, relative to the operation of motor vehicles used to transport property by private carriers, has been postponed from August 1, to October 15, 1940.

A discussion of these regulations for truck drivers appeared in the INFORMATION LETTER of June 1, 1940, on page 6211.

**NEW "AREA OF PRODUCTION" DEFINITION  
AND SEASONAL DETERMINATION ANNOUNCED**

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tobacco for market in an establishment which is a first concentration point for such tobacco. As used in this subsection (c), "first concentration point" means a place where such tobacco is first assembled from nearby farms for such preparation for market but shall not include any establishment normally receiving a portion of the tobacco assembled from other concentration points, nor any establishment operated by a manufacturer for the preparation of tobacco for his own use in manufacturing, or

(d) if he performs those operations on materials all of which come from farms in the immediate locality of the establishment where he is employed and the establishment is located in the open country or in a rural community. As used in this subsection (d), "immediate locality" shall not include any distance of more than ten miles and "open country" or "rural community" shall not include any city or town of 2,500 or greater population according to the 15th United States Census, 1930.

II. An individual shall be regarded as employed in the "area of production" within the meaning of Section 13(a) (10), in handling, packing, storing, drying, preparing in their raw or natural state, or canning of perishable or seasonal fresh fruits or vegetables for market:

If he performs those operations on materials all of which come from farms in the general vicinity of the establishment where he is employed and the number of employees engaged in those operations in that establishment does not exceed ten.

**U. S. DEPARTMENT OF LABOR  
WAGE AND HOUR DIVISION  
Washington**

**NOTICE OF OPPORTUNITY TO PETITION FOR  
REVIEW . . .**

WHEREAS, on the 14th day of June, 1940, upon applications filed by . . . sundry . . . parties, a Notice of Hearing was duly issued by Philip B. Fleming, Administrator, Wage and Hour Division, United States Department of Labor, to consider whether the handling, packing, storing, preparing in their raw or natural state or canning of perishable or seasonal fresh fruits or vegetables are industries of a seasonal nature within the meaning of Section 7(b) (3) of the Act and Part 526, as amended, of the Regulations issued thereunder, and

WHEREAS, on June 21, 1940, a Revised Notice of Hearing was duly issued . . . which stated that at the aforesaid public hearing to be held on July 1, 1940, Merle D. Vincent, an authorized representative of the Administrator, would take testimony, hear argument and determine:

Whether the handling, packing, storing, preparing in their raw or natural state, canning or first processing of perishable or seasonal fresh fruits and vegetables are industries of a seasonal nature within the meaning of Section 7(b) (3) of the Act and Part 526, as amended, of the Regulations issued thereunder, and

WHEREAS, on June 20, 1940, the said Merle D. Vincent duly filed copies of his Findings and Determination in this matter with the Administrator in Room 5144, United States Department of Labor Building, where copies of said Findings and Determination are available for examination by interested persons and which contain the following determination:

1. Perishable or seasonal fresh fruits and vegetables are typically harvested within a period ranging from a few weeks to three or four months.

**Fruit and Vegetable Packing Houses**

2. Perishable or seasonal fresh fruits and vegetables are packed, handled, and prepared in their raw or natural state in establishments which receive for packing 50 per cent or more of the total annual volume of fresh fruits and vegetables in a period or periods aggregating not more than 14 workweeks.

3. The packing, handling, and preparing in their raw or natural state of perishable or seasonal fresh fruits and vegetables is a branch of an industry and of a seasonal nature within the meaning of Section 7(b) (3) of the Fair Labor Standards Act and Part 526, as amended, of the Regulations issued thereunder.

**First Processing and Canning Establishments**

4. Perishable or seasonal fresh fruits and vegetables are subjected to first processing or are canned in establishments which typically operate during an annually recurring season or seasons of six weeks to six months and cease first processing or canning operations during the remainder of the year, except for such work as repair, maintenance, sales, or clerical work, because the fruits and vegetables are no longer available due to climatic or other natural factors.

5. The first processing and canning of perishable or seasonal fresh fruits and vegetables is a branch of an industry and of a seasonal nature within the meaning of Section 7(b) (3) of the Fair Labor Standards Act and Part 526, as amended, of the Regulations issued thereunder.

**Storage Warehouses**

6. Storage warehouses which handle perishable or seasonal fresh fruits and vegetables receive for storing 50 per cent or more of the annual volume of fresh fruits or vegetables stored in a period or periods aggregating not more than 14 workweeks.

7. The storing of perishable or seasonal fresh fruits and vegetables is a branch of an industry and of a seasonal nature within the meaning of Section 7(b) (3) of the Fair Labor Standards Act and Part 526, as amended, of the Regulations issued thereunder.

NOW, THEREFORE, pursuant to the provisions of Section 526.7 of the aforesaid Regulations, notice is hereby given that any person aggrieved by the said determination may, within 15 days after the date this notice appears in the Federal Register, file a petition with the Administrator requesting that he review the action of the said representative upon the record of hearing before the said representative.

Signed at Washington, D. C., this 22d day of July, 1940.

BAIRD SNYDER,  
Acting Administrator,  
Wage and Hour Division,  
U. S. Department of Labor.

Published in Federal Register, July 24, 1940.

**Vegetable Varieties for Maine**

Vegetable variety trials conducted at the Maine Agricultural Experiment Station during 1939 have been summarized and published in a recent bulletin by that institution. Varieties of beans, carrots, sweet corn and spinach which have proven dependable for several seasons are recommended for use.



## SWEET CORN YIELDS

## Prospects for 1940 Yields as Indicated by Temperature and Rainfall to July 23

The critical period of growth of the sweet corn crop is just beginning in a large portion of the corn growing areas. Temperature and rainfall for the next few weeks will, therefore, be particularly significant. It has been previously pointed out, however, (INFORMATION LETTER, July 13, 1940) that yields of sweet corn depend upon a relatively large number of factors. No one of these factors operates independently. The proper combination of these factors gives good yields whereas low yields are obtained with a poor combination. In most years these yield-influencing factors are so combined as to give yields somewhere between these extremes.

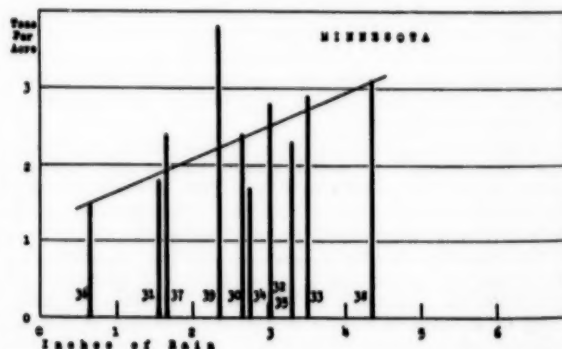
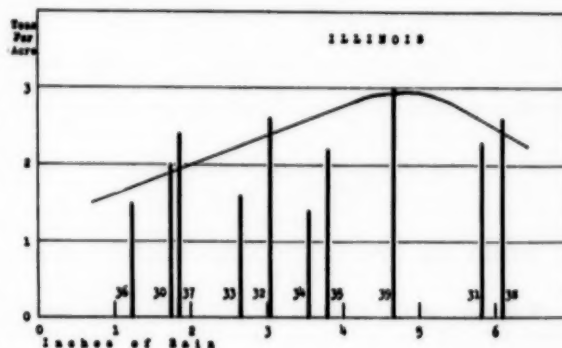
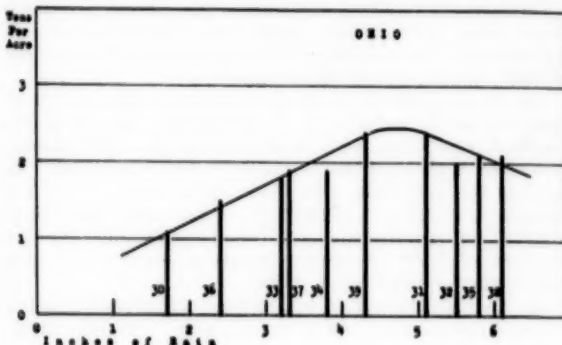
It would not be feasible in a short article to analyze all of the various combinations of factors in each of the corn growing States. Three States have been selected for presentation. The accompanying graph shows the effect of only one factor (July rainfall) on the yields of sweet corn in Ohio, Illinois and Minnesota for the last ten years. The length of the vertical bar indicates, when read from the scale at the left, the yield in tons per acre for the years indicated. Each vertical bar is placed at a point on the line at the bottom of the chart indicating the amount of July rainfall for that year. The scale at the bottom of each chart indicates the number of inches of rainfall.

It will be noted that there is a tendency for the height of the bars to increase as the rainfall increases until the amount of rainfall for July reaches about 5 inches. Then from that point there has been a tendency for yields to decline, as indicated by the shorter bars to the right of the 5 inches of rain. The line drawn through the top part of the bars is for the purpose of showing the general relationship between yields of sweet corn and the amount of July rainfall. Since this line shows the general effect of July rain on yields, one could not expect the line to touch exactly at the top of each bar as that would mean a perfect relationship and that the amount of the yields each year was determined by the quantity of rain in July alone. Thus in the case of those bars extending above or stopping short of this general line of general relationship, it is necessary to look for other factors which affected yields those years.

In the case of Ohio, for example, yields for 1932 and 1934 were below what one might reasonably have expected from the amount of July rainfall. The explanation in 1934 appears to be the unusually high temperatures which prevailed during July and early August. These high temperatures very likely blasted much of the pollen and prevented proper pollination. Yields in 1932 are difficult to explain. It appears from all available data as though the yields should have been about one-fourth of a ton larger than reported. The only factor that may have contributed to the low yield of that year was the fact that the August rainfall was below normal.

In Illinois, while there has been a general tendency for sweet corn yields to increase with July rain, it appears from the accompanying chart that a number of other factors have contributed to yields in that State. Yields for 1933,

1934, 1935 and 1936 particularly require explanation. Extremely hot weather, which probably blasted the pollen, seems to have been the explanation for the low yields of 1933, 1934, and 1936. In the case of 1936, low yields would have been expected because of the small amount of rainfall during July. In 1934, however, the rainfall in July was ample to have produced about 2½ tons. The yield that year was, however, apparently cut about one ton per acre



because temperatures were higher during the critical period than for any of the ten years studied.

Temperatures above 100 degrees occurred about as many days during the critical period of 1933 as for 1936. Thus it would appear that the yields in 1933 should have fallen short of those anticipated by about the same amount of

those in 1936. It will be noted from the chart, however, that yields for 1933 fell below the line of average relationship by about .7 of a ton, whereas in 1936 yields were only about  $\frac{3}{4}$  of a ton down. This difference is probably explained by the fact that the 1933 crop got off to a poorer start than the 1936 crop. Rainfall in May, 1933, was considerably above normal and probably interfered with planting and germination. The May rainfall for 1935 was likewise considerably above normal and probably accounted in part for the low yields of that year.

It should be noted that yields for 1937, 1938 and 1939 were above those expected from July rainfall. There appears to be no explanation of this from rainfall and temperature data. It may be that this is a reflection of improved yields obtained from high-yielding strains.

For a number of other States, particularly New York, yields for each of the last three or four years have been larger than might have been expected from the effect of temperature and rainfall on the yields of earlier years.

The study for Minnesota shows yields for 1937 and 1939 well above the line indicating the general relationship between July rainfall and yields. In the case of 1939, however, rainfall and temperature were both probably nearer the optimum for corn growing than for any of the ten years studied, whereas the combination of factors affecting yields in 1934 was probably the poorest.

What bearing do these studies have on the prospects for 1940? Some indication of the yield which may be anticipated for 1940 can be obtained from facts that are known to date. In Ohio, for example, May rainfall was 25 per cent above normal, whereas the average temperature for the month was 3 degrees below normal. Thus conditions in that State were apparently not very favorable for planting and germination. Rainfall in June in Ohio was 26 per cent above normal, which no doubt prevented proper cultivation in some fields. Temperatures during June, however, were 2 degrees above normal. For the first three weeks of July, rainfall has been less than 1 inch for most of the corn growing sections of the State. There was, however, a large amount of rain the latter part of June and the first of July. Temperatures have been increasing during the month of July and for the last week have been considerably above normal. Since the corn crop is now entering the critical stage of growth, good rains are indispensable.

In Illinois, May rainfall was more favorable for planting and germination but temperatures were too low for the best germination. June rainfall was well below normal with temperature more favorable for growth. Ordinarily a dry June is favorable for good yields since it permits thorough cultivation, but in many sections of the State subsoil moisture has been deficient and, with both May and June rainfall below normal, corn is suffering. Furthermore, rainfall for the first three weeks of July has been less than 1 inch, which is considerably below normal. Temperatures up to last week were a little below normal but for the last week have risen well above normal, which makes the dry condition more serious.

In Minnesota, rainfall for May and June was about the same as for 1939. For the first three weeks of July, there has been only .7 of an inch of rain in the corn districts of

the state, which is only slightly less than that of last year. Temperatures, however, have been extremely high during the last week, which differs from the 1939 conditions when temperatures were about normal. Thus the combination of high temperatures and little or no rain may affect corn adversely. To date, however, there appears to be no damage.

## CANNING CROP PROGRESS REPORTS

### Agricultural Marketing Service Issues Information on Conditions and Progress

The Agricultural Marketing Service has compiled reports from processors and growers of truck crops for commercial processing relative to condition and progress on July 15. This information was released by the Service on July 25 as follows:

Many commercial truck crop processors in reporting to the Agricultural Marketing Service on the July 15 condition of various vegetables commented on the lateness of the 1940 season. This is particularly true for the eastern part of the United States. Winter precipitation was deficient over a widespread area east of the Rocky Mountains but the rains that persisted late into the planting season, especially from Illinois eastward, hindered many growers in completing their planting operations, made some replanting necessary, and have since hindered the cultivation of row crops after the seed had germinated.

In the Western States, practically all important truck crops were well advanced by July 1. The lack of menacing rains and the prevalence of above-normal temperatures enabled growers in the Rocky Mountain and Pacific Coast States to carry on outdoor work early in the season. The need for rains in these States is now becoming acute, especially where supplies of water for irrigation are insufficient.

Since July 1, harvesting snap beans for processing has shifted northward into Delaware, Maryland, Pennsylvania, and Arkansas. Production prospects for the United States have declined about 3 per cent and, on July 15, indications point to a total of 99,530 tons for 1940. This prospective production exceeds the 1939 production of 94,150 tons by 6 per cent and the average production for the preceding 10-year (1929-38) period of 81,500 tons by 22 per cent.

The yield of snap beans indicated on July 15 for 1940 of 1.73 tons per acre compares with 1.78 tons obtained in 1939 and an average for the preceding 10-year (1929-38) period of 1.48 tons. Yield prospects on July 15 in Arkansas, Louisiana, Tennessee, Pennsylvania, Indiana, and Washington were somewhat more favorable than they were in these States two weeks ago. On the other hand, less favorable mid-July prospects were indicated for Maine, New York, Michigan, Wisconsin, Colorado, Utah, and Oregon. Rains and too much cool weather in Maine, New York, and the Great Lakes region retarded advancement in these areas. Hot weather and the lack of irrigation for the crop in Oregon and the Rocky Mountain States reduced prospects in the West.

Condition of sweet corn for processing has declined slightly during the first two weeks of July but is still better than average for the United States. Warmer weather in Illinois, southern Minnesota, and Iowa favored advancement of canning corn and some fields had reached the tasseling stage by mid-July. From Illinois eastward, reports continue to indicate some irregularity in the progress of the crop. In the lowlands, fields up until July 15 had failed to fully recover from the excessive moisture, and in some areas stalks and leaves were still pale yellow in color. Cut worms

were reported to be inflicting some damage to the crop growing in Maryland and Pennsylvania. Higher temperatures are needed in New York and the New England States.

The July 15 condition of tomatoes for canning and products manufacture is also slightly less favorable than was indicated by July 1 reports. The most noticeable declines were confined to New York, Delaware, Maryland, Colorado, and Utah. In the Ozarks, Kentucky-Tennessee, and important Middlewestern States, the favorable July 1 condition has been fully maintained and the July 15 conditions are well above average.

Tomato packing operations are slowly getting under way in the Eastern Shore and it is expected some canneries in the Ozarks will begin operating before the end of July. Cool weather has retarded the development of the crop in New York State. Reports from Utah indicate some loss from disease, and in Colorado the need for moisture has become quite apparent.

Beet growers in New York, Michigan and Wisconsin have been plagued this season by too much rain. Recurring heavy storms early in the season necessitated considerable replanting, and on July 15 advancement of growth in these fields was behind schedule and somewhat irregular. In Indiana, growers completed planting beet seed relatively early and the crop was growing under favorable conditions. The weather in the Northwest has been warm and dry, and Oregon growers indicate that the condition of canning beets on July 15 was somewhat less favorable than it was on July 1.

An adequate supply of moisture for the crop of green lima beans growing in the Middle Atlantic States was provided by rains that fell during the early part of July. Additional helpful rains have fallen since July 15. The favorable condition of this crop reported on July 1 in New Jersey, Delaware, Maryland, and Virginia has been generally maintained.

In Michigan and Wisconsin, many nights during the early portion of July were cool and daytime temperatures were only moderate. It is indicated that warmer weather is needed to improve prospects for lima beans in these States. Soil moisture is adequate with frequent rains reported in both States.

The progress of New York kraut cabbage was hindered by the excessive early-season rainfall. Some growers were experiencing difficulty in giving their cabbage fields necessary cultivation. In Ohio, Indiana, Illinois, and Minnesota, the hot, dry weather early in July was followed by scattered showers. These were adequate to aid in improving the condition of the crop in Ohio and Illinois, but in Indiana and Minnesota the rainfall was too light to fully overcome the need for additional soil moisture and the progress of the crop has been somewhat retarded. Generally satisfactory progress was made by the crop growing in Michigan and Wisconsin, although the season continues to be about ten days or two weeks late. In Colorado and also in Washington, high temperatures prevailed through early July and soil moisture was rapidly being depleted.

Growers of pickling cucumbers in many of the important Southern States expected to complete the harvesting of their crop early in July, but in the northern part of the country advancement of the crop this season has been held back by the unfavorable weather in many of these important States. Despite this delay, the condition of the crop on July 15 is slightly more favorable than it was on the corresponding date in 1939 and has shown some improvement since July 1, 1940. Some growers in Ohio, Michigan, and Wisconsin expect to begin harvesting pickling cucumbers early in August.

## 1939 OUTPUT OF FISH CANNERIES

### Statistical Bulletin Issued by Bureau of Fisheries Shows Amount and Value

The output of canned fishery products and byproducts in the United States and Alaska in 1939 was valued at \$130,423,397, as compared with an estimated value of \$113,861,135 in 1938, according to figures just issued by the Fish and Wild Life Service in a statistical bulletin. Of the total amount, the value of the fishery products was \$96,458,593 in 1939 (19,427,982 standard cases), compared with \$83,300,312 in 1938 (16,969,402 standard cases).

In the table below are shown the output and value of canned products in standard cases together with the number of plants engaged in processing the various items:

Product	Number of plants	Standard Cases	Pounds	Value
Salmon:				
United States.....	28	728,943	34,080,264	\$7,339,727
Alaska.....	109	5,263,161	252,631,728	34,441,122
Sardines:				
Maine.....	26	2,155,433	53,885,825	6,911,579
California.....	29	3,108,082	149,187,936	9,533,663
Tuna and tunalike fishes.....	27	3,642,951	87,430,824	20,079,567
Mackerel.....	25	889,389	42,690,672	2,588,695
Alewives.....	6	22,882	1,098,336	74,804
Alewife roe.....	23	31,743	1,523,664	143,946
Shad.....	8	13,437	644,976	42,182
Shad roe.....	8	3,003	144,144	97,074
Cat and dog food.....	11	566,673	27,200,304	1,109,112
Fish flakes.....	3	30,406	1,459,488	264,613
Fish cakes, balls, etc.....	8	113,883	5,466,384	756,625
Smoked salmon.....	3	105	5,040	1,441
Fish chowder.....	5	2,459	118,032	13,717
Fish paste.....	3	2,542	122,016	129,106
Sturgeon caviar.....	4	1,899	91,152	343,646
Salmon roe and caviar (for food).....	4	2,064	99,072	41,879
Salmon eggs (for bait).....	7	5,139	246,672	84,131
Miscellaneous fish and roe.....	17	18,472	886,656	239,002
Clam products.....	57	933,029	24,451,275	3,795,368
Oysters.....	48	617,415	9,261,225	2,430,782
Shrimp.....	53	1,215,019	20,452,238	5,354,086
Crabs.....	23	16,414	640,146	259,736
Terrapin products.....	4	90	4,320	6,646
Turtle products.....	5	8,246	395,808	122,609
Smoked oysters.....	4	1,175	56,400	36,466
Miscellaneous shellfish, etc.....	15	33,928	1,628,544	197,249
Total.....	400	19,427,982	716,812,141	96,458,593

The following table shows the value of the canned fishery products and byproducts by States:

State	Canned products	Byproducts	Total
Maine.....	\$7,891,382	\$510,217	\$8,401,599
Massachusetts.....	1,457,174	1,944,727	3,401,901
Rhode Island.....		788,859	788,859
Connecticut.....	670,390	2,835,149	3,505,539
New York.....	1,760,113	2,458,185	4,297,424
Pennsylvania.....		179,126	179,126
Delaware.....		676,201	676,201
Maryland.....	516,222	1,419,190	1,935,412
Virginia.....	61,705	1,348,151	1,409,856
North Carolina.....	64,083		64,083
South Carolina.....	465,382	1,094,718	1,624,183
Georgia.....	627,201		627,201
Florida.....	274,260	795,364	1,069,625
Alabama.....	432,631		432,631
Mississippi.....	2,304,564	168,279	2,905,474
Louisiana.....	3,198,560	407,873	3,606,433
Texas, Illinois, Missouri, Wisconsin, and Minnesota.....	504,843	190,299	695,142
Iowa.....		1,913,389	1,913,389
Washington.....	5,192,077	1,098,139	6,290,216
Oregon.....	4,622,664	410,646	5,033,310
California.....	31,639,354	13,691,370	45,330,724
Alaska.....	34,775,988	2,034,922	36,810,910
Total.....	96,458,593	33,964,804	130,423,397



Copies of this statistical bulletin No. 1391 can be obtained from the Fish and Wild Life Service, Department of the Interior, Washington, D. C. The pack of the various fish products are shown in detail by variety and region.

### Trade Outlook for Canned Fish

#### Division of Foodstuffs Analyses Situation with Respect to United States Prospects

Of the average canned salmon exports from the United States in recent years (900,000 cases), the United Kingdom took more than 80 per cent, countries now under German control another 5 per cent, and many countries shared in the remaining 10 to 15 per cent, according to an analysis of the trade outlook for canned fish made by the Division of Foodstuffs of the Bureau of Foreign and Domestic Commerce. United States exports jumped one-third above the average in the year before the war and then fell back largely because of unfavorable effects of British control and the fall of the pound-sterling.

British imports of canned sardines, herring, and brisling average about 500,000 cases annually, of which the United States normally supplies about one-fourth, or 120,000 cases annually, the remainder being furnished by Portugal and Norway. The British market represented only one-eighth of our total canned sardine export market, the Philippine Islands and countries of the Far East and Latin America sharing heavily.

A "war demand" for canned sardines was evidenced in recent months, however, with the result that United States exports to England from August 1, 1939—May, 1940, jumped from 103,000 to 612,000 cases. As a result, total canned sardine exports during the same period increased from 905,000 to 1,452,000 cases, almost the same amount by which the California pack increased over the previous season.

During the past month the British Purchasing Commission has purchased some 100,000 cases each of canned salmon and canned sardines. This may be indicative of the need for such products in the British diet. The British always have eaten large quantities of fish, not only fresh but preserved in every manner, but in the absence of definite information as to the extent to which the activities of their local fishing fleet have been curtailed, it is impossible to estimate future British purchases from the United States.

In the Philippine Islands, the other important canned fish export market, there has been added to the usual summer dullness a reduced purchasing power as a consequence of the extremely low prices for Philippine products.

### Canada to Control Export of Canned Lobster

Under a recent official order, no canned lobster will be exported from Canada without the approval of the government controller of this product according to the American commercial attache in Ottawa. It is reported that this step

was taken with a view to improving the quality of the canned lobster exported and to avoid disorderly marketing.

Government authorities are of the opinion that a larger demand for Canadian canned lobster may be developed in the United States if a uniform high quality can be maintained.

### TRADE OUTLOOK FOR CANNED FRUITS

#### Foodstuffs Division Analyzes Factors in Present Export Situation

Factors that will determine the trade outlook for production of canned fruits in the United States were analyzed this week by the Foodstuffs Division of the Bureau of Foreign and Domestic Commerce. The analysis of the Division follows:

Practically unrestricted imports of canned fruits into the United Kingdom from the United States were permitted up until March 19, 1940. Largely due to British buying total United States exports of canned fruits during the past two marketing years averaged about 8,350,000 cases a year, compared with average annual total exports of several preceding years of about 6,666,666 cases. The United States and Canada together shipped to England during the past two marketing years about 4,500,000 cases more canned fruits than were shipped to that market on an annual average basis during the preceding five years.

There have been practically no new orders for American canned fruits since the British licensing control measure dated March 19. The situation with respect to commercial stocks in the United Kingdom is unknown.

The fruit canning industry completed the past season with carryover stocks at very satisfactory levels, shipments during the year having been aided by unusually large British purchases. With general improved business conditions in the United States, the principal uncertainty with respect to the 1940-41 marketing season lies in the question as to whether England will or will not purchase the approximately one-sixth of our canned fruit pack which she takes in normal years.

Indications were very clear several months ago that American fruit canners had little hope for expecting the British to purchase from 1940 packs. It is impossible to know whether that situation may have been or might be changed as a result of the present status of the European war or the cutting off of England from Mediterranean supplies of dried fruits, which could have been substituted for canned fruits in the British diet.

Resumption of export trade in canned fruit in any large volume is dependent upon the resumption of purchases by England. During the five-year period 1934-38, the United Kingdom took on an average 85 per cent of our total canned fruit exports, about 7 per cent of the total went to countries now dominated by Germany, and the remaining 8 per cent was widely distributed around the world.

Of the approximate 10,500,000-case average annual canned fruit imports into the United Kingdom during the five-year period 1934-38, the United States furnished 52 per cent, Empire countries 41 per cent, Japan 5 to 6 per cent, and other foreign countries 1 to 2 per cent. British Empire countries are now believed to be in a position to supply up

to one-half of England's "normal" requirements. In the absence of any information on present stocks of canned fruits in the United Kingdom it is impossible to say how much of a reduction in consumption would have to take place if England should import during 1940-41 only from Empire sources.

From the beginning of 1940 through May, shipments of canned fruit from Australia and British Malaya at 1,425,000 cases were 700,000 cases below the comparable figure of 1939. However, the month of May had reversed the trend of the preceding four months with a movement of canned fruit from the Far East to England of 600,000 cases, only 100,000 cases below those of May, 1939.

The generalizations made with respect to canned fruits as a whole may or may not be true with respect to canned citrus fruits and canned apples. Any deviation from the general situation would be favorable to canned citrus and unfavorable to canned apples.

Average imports of fresh citrus fruits into the United Kingdom during 1937 and 1938 totaled 1,578,000,000 pounds, of which Mediterranean countries—notably Italy and Palestine—supplied three-fifths or 971,000,000 pounds. Contrary to this possible favorable factor for the exportation of canned citrus to England from the United States, the export outlook for canned apples is seriously affected by the large Canadian pack last year, which totaled about 1,250,000 cases, compared with a little less than a half a million cases the year before.

### Fruit and Vegetable Market Competition

#### Carlot Shipments as Reported to the Agricultural Marketing Service by Common Carriers

Carlot shipments of fresh tomatoes during the week ending July 20, 1940, were 543 carloads, as compared with 210 carloads shipped during the corresponding week of 1939, according to statistics of the Agricultural Marketing Service. Carlot shipments of green peas were also larger than during the corresponding week of 1939, but shipments of other vegetables competing with canned vegetables were smaller. Carlot shipments of fruits were smaller during the week of July 20, 1940, than during the corresponding week of 1939.

The following table, compiled from statistics of the Agricultural Marketing Service, gives detailed comparisons of carlot shipments on certain dates of selected vegetables and fruits:

VEGETABLES	Week ending—			Season total to—	
	July 20, 1939	July 20, 1940	July 13, 1940	July 20, 1939	July 20, 1940
Beans, snap and lima.....	10	9	6	6,501	4,050
Tomatoes.....	210	543	1,051	20,783	15,880
Green peas.....	177	229	104	5,032	3,876
Spinach.....	21	4	3	6,165	5,578
Others:					
Domestic, competing directly..	517	375	483	48,361	46,924
FRUITS					
Citrus, domestic.....	2,634	2,185	2,131	158,719	130,613
Imports.....	8	0	6	98	158
Others, domestic.....	2,930	2,864	2,225	13,416	10,687

### Final Hearing Under Way to Redefine

#### Executive, Administrative, and Other Employees

Final hearing on redefinition of executive, administrative and professional employees and outside salesmen by the

### British Ban Use of Tin Can

Britain is bidding adieu to the tin can according to an Associated Press report in the New York Times on July 23.

Under an order issued today by Supply Minister Herbert Morrison, face powders, shaving sticks, soups, fruits, cigarettes, and tobacco may no longer be put up in tin containers.

The British hope to save 40,000 to 50,000 tons of tin annually for armament production. Paper containers will be more widely used when feasible.

Wage and Hour Division began on Thursday, July 25. Representatives of the publishing, communications, transportation, public utilities and miscellaneous industries are being heard.

Similar hearings have already been held as follows: In April, on the wholesale and distributive trades; in June, the manufacturing and extractive industries; and on July 9, the banking, brokerage, insurance, financial and related industries.

### Louisiana Governor Vetoes Bill Repealing Manufacturers' State Registration Fees

Louisiana Senate Bill 169 to amend the State Food, Drug, and Cosmetic Act by repealing the high registration fees required of manufacturers selling in the State has been vetoed by the governor. In his veto message the governor stated that he would approve a bill providing for a sufficient revenue, through registration fees, to make the State inspection service self-sustaining. Under the present law total fees paid into the State treasury amount to about \$50,000. The bill vetoed by the governor would have reduced this revenue to about \$2,000. The cost of operating the State inspection laboratory amounts to \$20,000 each year.

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